

# **CDBG Requirements for Procuring Professional Services**

Jurisdictions that intend to use CDBG resources to pay for professional services must follow federal procurement procedures. If you secure the services of consultants before following approved federal CDBG procurement guidelines, the consequences may include:

- Costs to the jurisdiction that will not be CDBG reimbursable.
- Project delays.
- Formal grievances from citizens and businesses that may have been excluded from the procurement process.

CDBG staff is available to assist in the federal procurement process. Detailed guidance and samples are provided in the procurement of professional services section of the CDBG management handbook, available on the CDBG website at [www.commerce.wa.gov/cdbg](http://www.commerce.wa.gov/cdbg).

This document provides an overview of procurement guidelines that may be useful as a quick reference.

**Advertisement requirements for professional services.** Two types are allowed.

Request for Statement of Qualifications (RSQ):

- Publish a request for qualifications (RSQ method) announcement on each occasion when professional services are required; or
- Publish a request for qualifications announcement at least every 36 months in each category of service required by the jurisdiction. (In those instances where the jurisdiction completed the RSQ process prior to receiving the CDBG award, the CDBG funded project must fall within one of the general categories of projects listed in the earlier advertisement and meet all of the CDBG procurement requirements.)

Request for Proposals (RFP):

- Publish a request for proposals (RFP method) which specifies the type of project, anticipated start date, and lists evaluation criteria with relative importance that will be used to rank proposals.

Note: If you have not advertised for 36 months and have an engineer or other consultant on retainer, contact the CDBG program for instructions. It may be necessary to conduct a new competitive procurement process.

The following statements are to be included in the advertisement for both methods.

The (City or County) of \_\_\_\_\_ is an Equal Opportunity and Affirmative Action Employer.

Minority- and women-owned firms are encouraged to submit statement or proposals.

This project may be (funded or partially funded) through the State of Washington Community Development Block Grant Program with federal funds provided by the U.S. Department of Housing and Urban Development.

The RFP or RSQ advertisement must be publicized at a minimum, once a week for two weeks in a major newspaper of general circulation. At least 14 calendar days from the last publication date must be allowed for respondents to prepare and submit their proposal or statement of qualifications.

- Using the RSQ method, at least three statements of qualifications must be received to have a competitive procurement.
- Using the RFP method, at least two qualified proposals must be received to have competitive a procurement.

Steps must be taken to encourage minority- and women-owned business enterprises (MWBE) and small business participation during the procurement process. These affirmative steps must be included at a minimum:

1. Post the advertisement for RSQ of RFP on the State Office of Minority and Women's Business Enterprise (OMWBE) website at [www.omwbe.wa.gov](http://www.omwbe.wa.gov), or
2. Develop a list of minority and women owned businesses and send the advertisement for RSQ of RFP to five contractors from the list. You can use the directory on the OMWBE website at [www.omwbe.wa.gov](http://www.omwbe.wa.gov) or develop your own local list.

### **Procurement Using Annual Roster**

This is allowable in some instances. It must ensure maximum open and free competition, including outreach to MWBE. Contact the CDBG program.

**Small Purchase Procedures for Limited Public Works Projects** -In those instances where services are not expected to cost over \$35,000 in the aggregate, small purchase procedures may be utilized to procure consultant services other than professional engineering or architectural services. If small purchase procurement is used, price or rate quotations or proposals must be obtained from at least three qualified sources. Efforts must be made to seek at least one quotation or proposals from a minority- and/or women-owned business enterprise. If the jurisdiction has established a lower ceiling for small purchases, then the lower ceiling should be followed. When using small purchase procedures, it is strongly recommended that selected firm's references and ability to perform be thoroughly checked.

**Check for Eligibility** -Before signing a contract or, at a minimum, before CDBG funds are expended for professional services, the jurisdiction must confirm the preferred firm is not on the federal list of ineligible professionals and debarred contractors and maintain documentation of the contractor's eligibility in its CDBG project files.